

MEMORANDUM OF AGREEMENT
BETWEEN THE
UTAH STATE HISTORIC PRESERVATION OFFICER
AND
OGDEN CITY REDEVELOPMENT AGENCY
REGARDING THE FLOWERS FOODS PROJECT
LOCATED AT 2557 GRANT AVENUE, OGDEN, UTAH

WHEREAS, Utah Code 9-8-404 and 17C-2-104 requires agencies to take into account the effect of its undertakings on any district, site, building, structure, or specimen that is included in or eligible for inclusion in the National Register of Historic Places, or the State Register ("historic property"); and,

WHEREAS, Utah Code 9-8-404 and 17C-2-104 also requires agencies to allow the State Historic Preservation Officer (SHPO) a reasonable opportunity to comment with regard to the undertaking or expenditure; and,

WHEREAS, Utah Code 9-8-404(1)(a)(ii) allows for agencies to develop agreements covering this process; and,

WHEREAS, Ogden City Redevelopment Agency's (RDA) undertaking of a redevelopment project on the former Flowers Foods site will result in an adverse effect on an historic property commonly known as the Flowers Foods site, located at 2557 Grant Avenue, Ogden City;

NOW, THEREFORE, RDA and SHPO agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on the historic property.

Stipulations

Ogden City will ensure:

1. INTENSIVE LEVEL SURVEY FORM (ILS): A basic level ILS historic site form providing historic information must be completed, following the Utah SHPO ILS Standard Operating Procedures.
2. PHOTOGRAPHS: Photographs of the buildings, both inside and out, will be preserved. At least ten (10) professional quality digital photographs (four by six (4x6) prints on archival paper with an accompanying CD) to show all exterior

elevations and interior spaces, including significant architectural trim/decorations shall be submitted.

3. **RESEARCH MATERIALS:** A legible photocopy of the tax card information of the property, obtained from the county recorder, and research materials will be submitted.
4. **DRAWINGS:** Preserve a sketch of the existing floor plan. Drawings of existing floor plan(s) must be based on accurate footprint measurements of the building (with rooms labeled by use).
5. **REPOSITORY:** Submit all materials in this MOA to the Division of State History, Historic Preservation Office, and a local repository, such as the City Hall, to be placed on file.

Amendments

Either party to this agreement may request that it be amended or modified. Amendments may be attached to the document. Signatures from all parties are necessary before an amendment or modification becomes effective.

Discovery

If during ground disturbing activity, contractors encounter any subsurface archaeological deposits including, but not limited to, prehistoric artifacts or features (pithouses, charcoal staining from hearths, etc.), human remains, historic building foundations or walls, outhouse/privies, or dense trash deposits, work will be halted within 50' of the discovery and notification made to the responsible Agency. The agency will continue to halt work until an assessment of the discovery is completed by the agency, or a State and/or Federally permitted archaeologist. If the discovery is considered significant as determined by the City in consultation with SHPO, or a National Register Eligible property, the agency will notify the Utah State Historic Preservation Office to coordinate the mitigation of the discovery.

Duration

This MOA will expire if its terms are not carried out within five (5) years from the date of its execution. Prior to such time, one party may consult with the other party to reconsider the terms of the MOA and amend it.

Termination

Either party to this agreement may terminate it by providing thirty (30) days notice to the other party, provided that the parties will consult during the period prior to the termination to seek agreement on amendments or other actions that would avoid termination.

When all stipulations contained in this MOA have been completed, if the RDA requests a letter confirming that all stipulations have been completed the SHPO will provide such a letter.

Execution

Execution of this Memorandum of Agreement by RDA and Utah SHPO, and implementation of its terms, evidences that RDA has taken into account the effects of the undertaking on historic properties.

Utah State Historic Preservation Office

BY: 

Roger Roper, Preservation Coordinator

Date: 6.9.17



Ogden City Redevelopment Agency

BY: 

Michael P. Caldwell, Executive Director

Date:

Attest:


Secretary - Chief Deputy Recorder



Approved as to form:


Agency Attorney